

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **AUGUST 1, 2013**

4 **PRESENT:** Peter White, Chair; Robert Stanley, Vice-Chair; Donna Davis Larrow; Tanner Royce; Kurt
5 Markarian; Shane Hastings, ex-officio member; Michael Marquise, Planner

6 **ABSENT:** Erin Andersen; Charlotte Brown, alternate

7 **ALSO PRESENT:** see attached sign-in sheet

8 Vice-Chairman Stanley called the meeting to order at 7:15 pm.

9 Changes to the Minutes for the July 18, 2013 Planning Board Meeting: Change line 41 to read "Although
10 he thinks it looks OK...". Change line 71 to read "he would only need 150' per lot with a cluster".
11 Change line 89 to read "which he feels is not correct."

12 Robert Stanley made a motion to approve the minutes as amended. Donna Davis Larrow seconded the
13 motion. The motion passed with five in favor and one abstention (Peter White).

14 **CONTINUED: PARCEL ID: 0211-0016-0000: SITE PLAN REVIEW: ADD (3) ADDITIONAL STORAGE**
15 **BUILDINGS (15,200 SQ FT) ON SITE. 1000 ROUTE 11, SUNAPEE, HIGH PINE PROPERTIES, LLC**

16 Scott Aiken continued with the presentation of the case. Mr. Aiken presented sign-off sheets from the
17 Fire Department, Police Department, and the Conservation Committee signed the Plan. The Fire
18 Department asked that a key box be put outside the gate so they have access to the property. Neither
19 the Police Department nor the Conservation Committee had any comments.

20 There were no abutters present regarding the case.

21 Robert Stanley made a motion for Parcel ID: 0211-0016-0000, High Pine Properties, 1000 Route 11,
22 Sunapee, to approve the Site Plan Review since all the Departments have signed off and that the 25'
23 buffer will be observed in terms of any removal of trees or bushes. Kurt Markarian seconded the
24 motion. The motion passed with five in favor and one abstention (Peter White).

25 **PARCEL ID: 0107-0002-0000: SITE PLAN REVIEW FOR A SECOND DUPLEX. 1376 ROUTE 11, LEONARD A.**
26 **POLLARI**

27 Mr. Marquise said that the application falls under Article V of the Site Plan Regulations. The application
28 was filed in advance, fees were paid, abutters were notified, and notices were posted. Mr. Marquise
29 said that he has a few comments regarding the checklist for Article V: there is no signature block for the
30 Departments; there is no bar scale on the Plan; contours are not on the Plan; also, there is no
31 Landscaping Plan or Lighting Plan. Mr. Marquise said the Board can accept the application as complete
32 though he does not believe any of the items should be waived; he recommends leaving them open for
33 discussion.

34 Kurt Markarian made a motion to accept the application for Site Plan Review as complete for Parcel ID:
35 0107-0002-0000 with the notes that there is no signature block for the Department Heads to sign on the
36 Plan, there are no contours, there is no lighting description nor landscaping, and there is no bar scale
37 evident on the Plan as presented and they will need to be updated. Donna Davis Larrow seconded the
38 motion. The motion passed unanimously.

39 Leonard Pollari presented the merits of the case.

40 Mr. Pollari said that there is a signature block for the Planning Board and he has all the sign-offs from
41 the Department Heads and asked if there needs to be a signature block on the Plan as well. Mr.
42 Marquise confirmed that the Department Heads need to sign both the sign-off forms and the Plan.

43 Mr. Pollari said that on the bottom of the Plan it does say that 1" = 30'. Mr. Marquise said that normally
44 there is a bar scale so if there is a copy or reproduction of the Plan it is on it.

45 Mr. Pollari asked about the lighting requirement. Mr. Pollari said that they have a light at the bottom of
46 the street that is on the neighboring property and they were only going to use the lighting that is on the
47 building plan. Chairman White explained the reasons for lighting to be shown on the Plan.

48 Chairman White asked and Mr. Pollari confirmed that he has received a Variance from the Zoning Board
49 to build the second building. The first building is built, the driveways are done, the utilities are in, and
50 the requirements are completed. The only thing that is not complete is the second building. Mrs.
51 Larrow asked which building on the Plan is the second building. Mr. Pollari said that it is the building on
52 the west.

53 Mrs. Larrow asked and Mr. Pollari confirmed that the second building will be the same as the building
54 that is already done. Mr. Stanley asked about parking. Mr. Marquise asked and Mr. Pollari confirmed
55 that each unit has three bedrooms. Mr. Marquise said that each unit requires two spaces and there is
56 obviously parking in the back. Mr. Pollari said that there are also garages under the units. Chairman
57 White asked about the parking and pathways that are sketched lightly on the Plan and Mr. Pollari
58 confirmed that those are all there. Mr. Stanley asked and Mr. Pollari confirmed that each unit has a one
59 car garage.

60 Chairman White asked how runoff and drainage will be handled on the site. Chairman White noted that
61 there is a paved apron at the bottom and that the State required an 8" dip 10' back so the water won't
62 be going down the driveway and crossing Route 11 and going into the Lake. Mr. Pollari explained that
63 the water goes down into the swale but before it reaches that point there is a culvert that goes into a
64 level spreader.

65 Chairman White asked Mr. Marquise about his concerns regarding contours. Mr. Marquise said he
66 drove by the lot and had concerns about the slope and grade of the driveway. Mr. Marquise explained
67 that the Site Plan has a 10% limit due to the need for emergency vehicle access and such. Mr. Marquise
68 asked if it has ever been checked and Mr. Pollari said that it has not and he does not know the slope.
69 Mr. Pollari said that the Fire Chief inspected it and signed off on it and didn't seem to have a problem.
70 Mr. Pollari said that he has all the contours though they are not on this Plan. There was further
71 discussion regarding the driveway.

72 Chairman White asked and Mr. Marquise confirmed that Route 11 is included in the 25' vegetated
73 buffer requirement yet part of this 25' buffer area has a power line easement. Chairman White noted
74 that no vegetation is shown on the Plan and asked if there is anything planned or planted. Mr. Pollari
75 said that he has planted some trees around the existing building and all the disturbed soil has been
76 reseeded.

77 Chairman White asked and Mr. Pollari explained that there will only be lights on the building that are
78 lantern style lights. There will not be any flood lights or parking lot lights. Mr. Marquise asked if the
79 lights could be shown on the Plan. Chairman White recommended that they be marked on the building
80 with a note that they are down lights.

81 Chairman White asked if there were any abutter present with questions for the applicant and there
82 were none. Chairman White closed the hearing to public comments.

83 Mr. Stanley said that he feels as though, with the sign-offs from the Departments, the Plan meets the
84 criteria. Mrs. Larrow said the Plan should be updated to include everything the Board is looking for and
85 then, after that is complete, she feels as though it is fine. Mr. Royce said that he would like to see the
86 contours and the driveway slope to make sure they are not waiving anything before voting. Mr.
87 Hastings and Mr. Markarian agreed. Chairman Stanley noted for the record that the Board would like to
88 have the signature stamp on the drawing, the contours of the driveway area to see the % slope, the bar
89 scale needs to be added, and any kind of lighting that will be on the building or on the Site now or in the
90 future, and the existing or planned landscaping. Chairman White explained that if extra lighting is put
91 on the Plan, it isn't mandatory it is done but that if it is wanted in the future it doesn't require another
92 approval.

93 Chairman White continued the hearing until the September 5th Planning Board Meeting.

94 **PARCEL ID: 0133-0107-0000: MINOR SUBDIVISION: THREE (3) LOT SUBDIVISION. 33 MAPLE ST,**
95 **PROSPECT HILL CONSTRUCTION (LEONARD A. POLLARI)**

96 Mr. Marquise stated that the application falls under the Subdivision Regulation Section 6.04. The
97 application was filed in advance, fees were paid, abutters were notified, and notices were posted. Mr.
98 Marquise continued that he believes almost all the elements required under Section 6.04 are present
99 though there are two requirements missing that can sometimes be waived. He feels the storm water
100 drainage should not be waived though due to abutter comments and some of the slopes though it can
101 be discussed in the merits. The utility lines he believes can be waived. Chairman White said that he
102 believes that one of the lots already has a building on it and he feels it should be on the Plan to show the
103 setbacks and such. Mr. Pollari said that he has a Building Permit that shows that information. Chairman
104 White and Mr. Marquise said that the Plan needs to show existing buildings within 200' of the
105 Subdivision as part of the completeness. Chairman White asked and Mr. Pollari confirmed that he
106 received the Building Permit as if he was building on the entire parcel, though it will be on what is
107 identified as Lot 2 on the Plan. Mr. Marquise said that it appears that Lot 3 will be on a septic system
108 and it is noted on the Plan that approval with the State is pending.

109 Donna Davis Larrow made a motion to accept the application as complete on Parcel 0133-0107-0000,
110 subject to the following conditions: storm water drainage; a drawing of the building on Lot 2; and, the

111 pending State septic system approval; the utility lines are waived. Robert Stanley seconded the motion.
112 The motion passed unanimously.

113 Leonard Pollari presented the merits of the case. Mr. Pollari explained that he would like to first
114 subdivide the property into three lots and to go slowly with the economy. Mrs. Larrow asked and Mr.
115 Pollari confirmed that his long term plan is to have more lots but nothing is concrete at this point. There
116 was further discussion regarding this issue.

117 Chairman White asked and Mr. Pollari confirmed that Lots 1 and 2 would be on Public Water and Sewer
118 with Lot 3 having a septic. Mr. Marquise asked if Mr. Pollari has spoken to Water and Sewer as he
119 believes there is a distance requirement where hookup is required. Mr. Pollari said the distance is 300'
120 and there is no sewer within that distance. There was further discussion regarding this issue and the
121 apartment buildings on Beech St.

122 Chairman White and Mr. Marquise had questions regarding Beech St. and where it turns into a Class VI
123 road. Mr. Pollari said that the location on where the Class V ends and Class VI begins was taken from
124 the Tax Map. Mr. Marquise said that, because lots cannot be created on a Class VI road, the Board
125 would need to see the surveyed line showing the division on the Plan so that it shows that there is at
126 least 75' on the Class V road. There was further discussion regarding this matter.

127 Chairman White asked if Mr. Pollari has done any storm water calculations or has figured in anything for
128 the lots. Mr. Pollari said that he has not, though he spoke to Charlie Hirshberg of CLD Engineers about
129 one of the lots in case the abutter had any issues. Mr. Pollari said that all the other lots drain well and
130 there should not be any issues.

131 Mr. Marquise asked about the cross hatched area along Beech St. Mr. Pollari said it is a big, wide stone
132 wall.

133 Chairman White asked if any of the abutters present have comments.

134 Gordon Weinberger of 53 Maple St said that he feels as though Mr. Pollari has done a good job as far as
135 keeping the lot as close to natural as possible. His observation is that everything looks good so far.

136 Heather Melson of 63 Maple St said that she is on the corner of Maple St and Beech St and she has
137 spoken with Mr. Pollari and he has given a 50' buffer behind their homes, though her buffer is a clear
138 hill. Her concern is that her property cannot handle any more runoff than she currently has. Ms.
139 Melson continued that Mr. Pollari has explained how the proposed road will be built and he would be
140 ditching it into Beech St. The drainage on Beech St does not handle what is there currently and is not
141 maintained by the Town very well and she does not feel it can handle more. She feels that the ditch
142 needs to be taken care of if there will be more drainage. Ms. Melson gave details regarding the
143 drainage she has on her lot and the problems that the runoff from Beech St onto Maple St is for her
144 property. Ms. Melson said that the excess drainage is the only concern she has as Mr. Pollari has been
145 forthright regarding his plans. Mr. Marquise explained to the Board that Mr. Landry received an email
146 from the Highway Director, Scott Hazelton. Mr. Hazelton's email clarified that if Mr. Pollari's proposed
147 projects discharges storm water into the Town drainage ditch, Mr. Pollari will be required to make
148 improvements to the drainage so it could handle the additional flows. Mr. Marquise continued that Mr.

149 Pollari will need to work with the Town to create a plan to update the ditch or to keep the drainage on
150 site, perhaps with a rain garden.

151 Chairman White asked where the driveway will come in on Lot 3. Mr. Pollari explained that the
152 driveway will come in just below the lot and will be on Lot 1 because of the slope. There will be a
153 common driveway following the contours on Lot 1, which will go up to Lot 3.

154 Chairman White asked and Mr. Pollari showed on the Plan where the proposed house site is located,
155 just above the well.

156 There was further discussion regarding the drainage. Mr. Marquise said that the Board should require a
157 drainage plan, whether it is kept on site or if there is an agreement made with the Town, though it
158 should be up to Mr. Pollari.

159 Bob Lester of 49 Maple St said that he agrees with Ms. Melson and Mr. Weinberger that Mr. Pollari has
160 been very forthright, yet he had a question about the difference between a driveway and a road.
161 Chairman White explained that a driveway accesses a Lot from the road. The roads are, in this case,
162 Town owned Beech St and Maple St. The driveways are the owner owned elements that go from the
163 road and accesses the Lot. A driveway can serve two lots while a road serves three or more.

164 There was a question regarding how many lots will be off Beech St and how many off Maple St. Mr.
165 Pollari explained that, in terms of new lots, there will be one lot off Maple St. and one lot off Beech St.
166 The entrance to the big lot remaining can be accessed off either Maple St or Beech St but the existing
167 driveway is off Maple St. Mr. Pollari further explained the Plan and the houses and lots to the abutters.

168 A question was asked that if Mr. Pollari receives approval for this subdivision, and then comes back to
169 the Board to subdivide the remaining land, if it is another minor subdivision. Mr. Marquise explained
170 that if it is done within 5 years, it becomes a major subdivision.

171 An abutter spoke about the wetlands behind their lot and their worry that houses will create more
172 impervious surface and the wetlands will become a swamp. Chairman White explained that if a site is
173 developed with multiple lots, the Town has a lot more say regarding water and runoff than if just a
174 single house goes in.

175 Mr. Pollari said that when he first went to the Board for a conceptual review, he was thinking about
176 doing a cluster development. However, he felt that it would have created more open surface and that
177 creating smaller residential lots would have less impact on the neighborhood. Chairman White said that
178 a cluster development tends to contain the area of development and there is more open space that is
179 left so if there are any issues with drainage or runoff, there is more chance of it going into the ground
180 before going off the site.

181 Ms. Melson asked and Chairman White confirmed that with a minor subdivision a house can be put onto
182 each lot and then in five years the big lot can go through another minor subdivision. Ms. Melson said
183 that she does not know the difference between a minor and a major subdivision. Chairman White said
184 that the requirements differ between minor and major. In a major subdivision there are more
185 requirements as it usually involves a road. The challenge in doing a subdivision is there has to be a
186 certain amount of road frontage per lot. Also, the lots have to be proportional in length and width.

187 Mr. Weinberger asked about the trucks going onto the lot and if there is a protocol to sweep the road
188 after the trucks are done. There are children who come from the top of Maple St and they longboard
189 down the street and don't pay attention. Mr. Pollari said that it is normally done once a week.

190 Chairman White closed the meeting to public comments. The Board discussed approving the Plan with
191 the proviso regarding the drainage plan. Mr. Royce said that he would like to continue the hearing until
192 the drainage plan is complete. Mr. Stanley said that he would find it acceptable to have it as a
193 contingency. Mrs. Larrow said that she feels as though the Board has made it clear what the drainage
194 plan has to be, either something with the Highway Department or a plan to maintain it on the lots. If it
195 is not maintained in one of those two fashions, it is not in compliance. Mrs. Larrow continued that she
196 feels as though it being a contingency is acceptable along with the need of the State septic approval, and
197 the building on Lot 2. Chairman White asked what the Board would do with a drainage plan. Mr.
198 Marquise explained that he would review it, and that it should be done by an engineer to ensure it is
199 properly done. Also the Highway Department should review it as well. There was further discussion
200 regarding the approval with the contingency if the drainage plan is not found acceptable to Mr.
201 Marquise or the Highway Department.

202 Robert Stanley made a motion to continue the hearing until the September 5th Planning Board meeting.
203 Tanner Royce seconded the motion. The motion passed unanimously.

204 Chairman White explained to Mr. Pollari that the Board will require a storm water drainage plan. The
205 building that is under construction on Lot 2 must be on the Plan. Also, the surveyor should put on the
206 Plan where the Class VI road starts on Beech St as well as how many feet are on the Class V portion. The
207 State septic approval will also be required.

208 **PARCEL ID: 0119-0009-0000: SITE PLAN REVIEW: MODIFY EXISTING SITE PLAN TO INCORPORATE**
209 **ADDITIONAL TREE SCREENING, SIGN RELOCATION, ETC. PLEASANT ACRES PROPERTY MAINTENANCE,**
210 **LLC (MATT MCCLAY)**

211 Mr. Marquise explained that this hearing was notified as a Public Hearing and abutters were notified,
212 notices were posted, and the elements of the original Site Plan are on the Plan along with the noted
213 changes. The Board does not need to approve the completeness of the application.

214 Matt McClay presented the merits of the case.

215 Mr. McClay explained that he originally received permission for the sign location to be down near the
216 shared driveway. However, after researching with the State, he found that in this area they have a very
217 wide Right of Way, which is 75' from the centerline. The sign cannot be within the Right of Way and the
218 closest area of where he could put the sign would put it in the middle of the buffer which affects
219 visibility of the sign. Mr. McClay continued that what he is hoping to do is to put the sign as close as he
220 can to Route 11 and cut a portion of the existing buffer to allow people to see it as they pass. He has
221 heard that people are not happy with the buffer. They did not cut any of the buffer and left a little more
222 than the 25' buffer but there happened to not be many evergreens in the area. Mr. McClay said that he
223 is proposing to plant a row of evergreens behind the existing buffer to help with the screening year
224 round. Mr. McClay said that he is also proposing to carry the evergreen buffer down to the north 25'
225 buffer of the property to help to screen the loam shed. Mr. McClay showed on the Plan where he plans

226 to plant the additional buffer how it works with the grading. Mr. McClay said that he would plant 6' high
227 trees, spaced at 10' from center to center.

228 Chairman White asked why Mr. McClay didn't want to keep the sign down by the driveway and just
229 move it into the buffer area. Mr. McClay said that it gets into ledge at that area and is not a good spot.
230 Also, if he cut that area of trees, it would open the area more and it would be difficult to screen the lot.
231 Chairman White said that it seems disproportionate to cut so much along the frontage to allow for a
232 sign. Mr. McClay confirmed that the sign will be perpendicular to the road. There was further
233 discussion regarding the trees that Mr. McClay would remove.

234 Lynn Trainor, the abutter on Brown Hill Rd, said that the business is very visible from Route 11 and feels
235 as though the existing buffer is not adequate. There was further discussion regarding this matter and
236 the advantages and disadvantages of planting the evergreens.

237 Mrs. Larrow asked about the ground cover of the angled cut of buffer around the sign. Mr. McClay said
238 that it will have to be maintained to be able to see the sign but he would be happy to do what the Board
239 recommends whether it be mowed grass, mulch, plant shrubs, etc. There was a suggestion regarding
240 using the same highway mix that is used on the banks and slopes of highways.

241 Mr. Marquise said that it sounds to him that Mr. McClay only owns 8' of the current buffer and the State
242 owns the rest. Mr. McClay confirmed that the State owns into the wooded buffer which is why he has
243 to put the sign so far back. Chairman White asked and Mr. Marquise confirmed that the 25' buffer is
244 supposed to be from the edge of the Right of Way. The original Plan showed the edge of the woods as
245 the edge of the Right of Way. Mr. Marquise said that if there is going to be planting, he suggests that it
246 goes back 25' from the edge of the State's Right of Way if at all possible. There was further discussion
247 regarding this matter and the location of the Right of Way.

248 Mr. Marquise said that the 25' buffer is a Zoning requirement and asked if Mr. Landry had spoken with
249 Mr. McClay about going to that Board. Mr. McClay said he did not that he said he needed to go to
250 Planning. Mr. Marquise said that he is not sure that this requirement can be waived by the Planning
251 Board as it is a Zoning requirement. There was further discussion regarding this matter.

252 Chairman White said that he believes that a surveyor should be hired to find the centerline of the road
253 and the edge of the Right of Way. Mr. Marquise said that there are Right of Way maps and suggested
254 talking to District 2 in Enfield. Chairman White said that he feels that this Right of Way needs to be
255 located and identified.

256 Chairman White explained that Mr. McClay needs to come back with approval from the Zoning Board,
257 the State's Right of Way on the Plan, and how he will address the 25' buffer from the edge of that Right
258 of Way.

259 The hearing was continued to the next meeting.

260 **ZONING ORDINANCES**

261 Mr. Marquise reminded the Board that it is time to start discussing Zoning Ordinances and asked if the
262 Zoning Board should be invited to a Planning meeting. Mr. Marquise suggested having a joint meeting
263 the second Thursday in September.

264 Chairman White said that he believes one issue that will come up is the definition of a structure and
265 having it clarified.

266 Mr. Marquise said that there have been Zoning Variances and Special Exceptions that have come
267 through that have surprised him that he would like to discussion with the Zoning Board. There was
268 further discussion regarding this matter and the density variance that was recently approved by the
269 Zoning Board. There was a discussion regarding hardship and population density.

270 Robert Stanley made a motion to adjourn at 9:15 pm. Donna Davis Larrow seconded the motion. The
271 motion passed unanimously.

272 Respectfully submitted,

273 Melissa Pollari

274 _____

275 Peter White, Chairman

276 _____

277 Erin Andersen

278 _____

279 Tanner Royce

280 _____

281 Shane Hastings, ex-officio member

Robert Stanley, Vice-Chairman

Donna Davis Larrow

Kurt Markarian

Charlotte Brown, alternate member